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August 30, 2016

To: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
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Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Sachi A. Hamai 
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains a report on the following:

- **Status of County-Advocacy Legislation.** Updates on 11 County-advocacy measures related to: 1) using inmate welfare funds for reentry assistance; 2) court authorization of the prescription of psychotropic medications; 3) oversight and regulation of natural gas storage wells; 4) extending injury leave for public safety employees; 5) teaching credentials in dance and theater; 6) prescribing patterns of psychotropic medications; 7) expansion of 2-1-1 informational and referral services; 8) employment social enterprise preference for State contracts; 9) specialty mental health services for minor and nonminor dependents; 10) restructuring of the Metro Board of Directors; and 11) a concession agreement at Will Rogers State Beach.
- **Legislation of County Interest.** Reports on four measures of interest to the County related to: 1) a Monthly Property Tax Payment Program; 2) California Children's Services Program; 3) use of room confinement in juvenile facilities; and 4) the possession of "date rape" drugs.

"To Enrich Lives Through Effective And Caring Service"

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Status of County-Advocacy Legislation

County-supported AB 920 (Gipson), which as amended on September 3, 2015, would authorize select counties, including Los Angeles County, to use a portion of inmate welfare funds to provide indigent inmates assistance with the reentry process within 30 days of their release from county jail, was signed by the Governor on August 25, 2016. This measure is Chapter 178, Statutes of 2016. AB 920 is an urgency measure and becomes effective immediately.

County-supported SB 253 (Monning), which as amended on August 4, 2016, would require that, beginning January 1, 2018, an order authorizing the administration of psychotropic medications to a dependent child, or a delinquent child in foster care, be granted only upon the court's determination that the administration of the medication is in the best interest of the child and that specified requirements have been met, among other provisions. SB 253 passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 34 to 5 on August 24, 2016. This measure now proceeds to the Governor.

County-supported SB 887 (Pavley), which as amended on August 19, 2016, would: 1) provide a comprehensive framework for the reform of the Division of Oil, Gas, and Geothermal Resources' (DOGGR) oversight and regulation of natural gas storage wells; 2) require the California Air Resources Board, along with DOGGR and local air districts, to develop a natural gas storage facilities monitoring program that includes continuous monitoring of ambient concentrations of natural gas at a facility to identify natural gas leaks; and 3) require the program to include guidelines for continuous monitoring that include optical gas imaging, where applicable, and accurate quantitative monitoring of natural gas concentrations, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 36 to 2 on August 26, 2016. This measure now proceeds to the Governor.

County-opposed SB 897 (Roth), which as amended on August 19, 2016, would grant an additional year of injury leave for public safety employees who receive a catastrophic injury at the hands of another while on duty, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 31 to 1 on August 25, 2016. This measure now proceeds to the Governor.

County-supported SB 916 (Allen), which as amended on August 15, 2016, would require the California Commission on Teacher Credentialing to issue single subject teaching credentials in dance and theater, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 39 to 0 on August 25, 2016. This measure now proceeds to the Governor.

County-supported SB 1174 (McGuire), which as amended on August 19, 2016, would: 1) require the California Department of Health Care Services and the California Department of Social Services, to provide the Medical Board of California with information to conduct an analysis of Medi-Cal and managed care prescribing patterns of psychotropic medications to determine if excessive prescribing exists; and 2) sunset the provisions of this bill on January 1, 2027, among other provisions. SB 1174 passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 38 to 0 on August 25, 2016. This measure now proceeds to the Governor.

County-supported SB 1212 (Hueso), which as amended on August 15, 2016, would allow funding allocated to the California Public Utilities Commission to be used to facilitate the expansion of 2-1-1 informational and referral services through a uniform database, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 37 to 1 on August 25, 2016. This measure now proceeds to the Governor.

County-supported SB 1219 (Hancock), which as amended on August 19, 2016, would grant an employment social enterprise the preference and status that is currently provided to small businesses or microbusinesses under State law, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 38 to 0 on August 25, 2016. This measure now proceeds to the Governor.

County-supported SB 1291 (Beall), which as amended on August 15, 2016, would require, beginning July 1, 2018, annual county mental health plan reviews to be conducted by an External Quality Review Organization, pursuant to Federal regulations, and include specific data for Medi-Cal eligible minor and nonminor dependents in foster care, among other provisions. SB 1291 passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 38 to 0 on August 26, 2016. This measure now proceeds to the Governor.

County-opposed SB 1379 (Mendoza), which as significantly amended on August 19, 2016, would restructure the Metropolitan Transportation Authority (Metro) Board of Directors to include: 1) the Mayor of the City of Los Angeles; 2) two Los Angeles City Council Members; 3) two public members who are residents of the City of Los Angeles; 4) the Mayor of the City of Long Beach; 5) five mayors or city council members from the other cities in the county; 6) two members of the Los Angeles County Board of Supervisors appointed by that board; and 7) one non-voting member appointed by the Governor, was scheduled to be heard by the Assembly Local Government Committee on August 25, 2016. However, the hearing was cancelled at the request of the author, who announced that he was tabling the bill with the intent to pursue the issue next year.

County-supported SB 1473 (Committee on Natural Resources), which as amended on August 11, 2016, would, among other provisions, authorize a concession agreement at Will Rogers State Beach to be awarded for up to 50 years and would delete the limitation that the concession agreement be executed before December 31, 1997, and delete the provision limiting an extension of the term of the concession agreement from exceeding 15 years, passed the Senate Floor by a vote of 39 to 0 on August 25, 2016. This measure now proceeds to the Governor.

Legislation of County Interest

AB 2691 (Holden), which as amended on August 1, 2016, would allow a county to implement a monthly property tax payment program that would authorize taxpayers who are 62 years or older, or who receive supplemental security income for a disability, to pay property taxes in monthly installments.

Existing law requires an annual payment of property tax which can be paid in up to two installments. AB 2691 would authorize counties to establish a program to allow qualified taxpayers to pay property taxes in monthly installments.

In opposition of AB 2691, the California Association of County Treasurer-Tax Collectors reports implementation concerns, including that: 1) most county tax collection systems are decades old and would require costly system upgrades at each county's expense if the new program was implemented; and 2) the measure leaves many operational questions unanswered that would result in widely-varying implementation by counties, which could disrupt the orderly distribution of property tax dollars to taxing entities, including schools.

The Treasurer and Tax Collector (TTC) reports some concerns with AB 2691 given the investment in property tax system reconfiguration necessary to comply with the measure. Specifically, the property tax system does not have a mechanism to issue ongoing payment invoices, implied by monthly installments. However, the TTC reports that, unlike many counties in the State, Los Angeles County already accepts partial payments for secured property taxes. This allows all taxpayers to establish a self-designed payment plan, without qualifying or applying for a formal payment plan. Therefore, TTC notes that the existing County process meets the goals underlined by this measure, without requiring additional resources to establish and maintain a new administrative infrastructure. Because AB 2691 is a county option program, this office and TTC have been monitoring AB 2691 in collaboration with relevant State associations.

AB 2691 is supported by the California State Retirees and Howard Jarvis Taxpayers Association. This measure is opposed by the California Association of County Treasurer-Tax Collectors and the State Association of County Auditors.

AB 2691 passed the Assembly Floor, in concurrence of Senate amendments, by a vote of 78 to 0 on August 22, 2016. This measure now proceeds to the Governor.

SB 586 (Hernandez), which as amended on August 19, 2016, would implement the Whole-Child Model, which phases in the transfer of the case management and service authorization responsibilities of the California Children's Services (CCS) Program from counties to Medi-Cal managed care health plans. As amended, SB 586 would: 1) identify counties that would be eligible to participate in the new Whole-Child Model pilot as early as July 1, 2017, which excludes Los Angeles County; 2) extend the CCS Medi-Cal carve out, which currently sunsets on December 31, 2016, for five years for those counties not participating in the pilot; and 3) include a number of statutory protections to safeguard continuity of care and quality care standards.

The California Children's Services is a Medi-Cal program paid on a fee-for-service basis that provides diagnostic and treatment services, medical case management, and physical and occupational therapy services to children under 21 years of age with a qualifying severe medical condition. Although most Medi-Cal beneficiaries are required to be enrolled in a Medi-Cal managed care plan, CCS services have been exempted or carved out due to the level of specialized pediatric care required.

As previously reported, the State Department of Health Care Services proposed in the FY 2016-17 State Budget a new Whole-Child Model which would be implemented for all counties as early as January 1, 2017, based on the State's determination of a county's readiness. Service providers, parents of children participants, and counties reported that the proposal would threaten to disrupt care. The proposal failed to pass the budget subcommittee process.

This office and the Department of Public Health (DPH) have been monitoring SB 586. DPH advises that the bill, as currently amended, has no immediate impact on operations, and notes that if the bill is enacted, further discussions will continue through the regulatory process, which will be closely monitored by DPH for any programmatic or budgetary impact.

SB 586 passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 39 to 0 on August 29, 2016. This measure now proceeds to the Governor.

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SB 1143 (Leno), which as amended on August 15, 2016, would establish statutory guidelines for the use of room confinement in State and local juvenile facilities, restricting its use only in limited circumstances and under specified use and monitoring protocols, among other provisions, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 39 to 0 on August 25, 2016. This measure now proceeds to the Governor.

SB 1182 (Galgiani), which as amended on August 15, 2016, would make it a felony to possess certain drugs known as "date rape drugs" with the intent to commit sexual assault, passed the Senate Floor, in concurrence of Assembly amendments, by a vote of 39 to 0 on August 25, 2016. This measure now proceeds to the Governor.

We will continue to keep you advised.

SAH:JJ:MR:
OR:PC:IGEA:lm

c: All Department Heads
Legislative Strategist